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LAW OFFICES OF
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421-6979
AREA CODE 816

May 11, 1981

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

Clerk, Supreme Court
United States Supreme Court
Washington, D.C. 20543

Attn: Alexander L. Stevas Re: State of Missouri v. Donald Greer, No. 80-997

Dear Mr. Stevas:

This is to notify the Court that the Respondent Donald Greer has read the briefs of Respondent Tommy Bryant Kendrick and Rollan Anthony Williams, both filed in opposition to the granting of the Petition for Writ of Certiorari. The Respondent Donald Greer believes that he has and can offer nothing further by way of argument and authorities, to supplement those briefs and he respectfully requests that his case be taken up and decided by the Court on the strength of the arguments and authorities already before it, as contained in the briefs already filed with the Court.

Respondent Greer encloses an Application to proceed in forma paupris in this cause.

Very truly yours,

Philip H. Schwarz

PHS:mm
CC: Attorney General
State of Missouri

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing letter was mailed to the office of the Attorney General of the State of Missouri, John D. Ashcroft, Supreme Court Building, Jefferson City, Missouri 65101, this 11th day of May, 1981.

PHILIP H. SCHWARZ, #18809
MCMULLIN, WILSON & SCHWARZ
1125 Grand Avenue, Suite 1510
Kansas City, MO 64106
816/421-6979
Attorney for Respondent

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OFFICE OF THE CLERK
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IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1980

NO. 80-997

STATE OF MISSOURI,

Petitioner

vs.

DONALD GREER, et al,

Respondent

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPRIS

AND FOR APPOINTMENT OF COUNSEL

PHILIP H. SCHWARZ, No. 18809

MCMULLIN, WILSON & SCHWARZ
1125 Grand Avenue, Suite 1510
Kansas City, Missouri 64106
816/421-6979

Attorney for Respondent Greer

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1980

NO. 80-997

STATE OF MISSOURI,

Petitioner,

vs.

DONALD GREER, et al,

Respondent

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPRIS AND FOR APPOINTMENT OF COUNSEL

Respondent Donald Greer is now in custody of the State of Missouri at the Missouri State Penitentiary in Jefferson City, Missouri pursuant to a judgment and sentence of guilty of murder in the second degree. The Petitioner is serving life sentence pursuant to the judgment. In the above-captioned case, Respondent was found to be indigent during his direct appeal to the Supreme Court of Missouri following his conviction. Respondent, as far as counsel knows, has no financial means with which to retain an attorney for the purpose of this action, and has no property of any kind. He is soley dependant on the State of Missouri for his support at the present. Respondent, pursuant to Rule 53 of the Supreme Court of the United States,

seeks leave to proceed in forma paupris in this Court, and for the appointment of counsel, pursuant to United States Supreme Court Rule 53(8).

Counsel for Respondent states that he is a member of the bar of the Supreme Court of the United States, having been admitted on the 23rd of February, 1981, upon the motion of Sloan R. Wilson, of the Supreme Court Bar.

Respectfully submitted,

PHILIP H. SCHWARZ, #18809
McMULLIN, WILSON & SCHWARZ
1125 Grand Avenue, Suite 1510
Kansas City, Missouri 64106
816/421-6979

Attorney for Petitioner

CERTIFICATE OF MAILING

I hereby certify that a copy of the foregoing Motion for Leave to Proceed in Forma Paupris was mailed to the office of the Attorney General of the State of Missouri, John D. Ashcroft, Supreme Court Building, Jefferson City, Missouri 65101, this 12th day of May, 1981.

PHILIP H. SCHWARZ, #18809

Attorney for Petitioner